

## REMARKS

### Status of Claims

Claims 1, 2, 4, 5, 7, 8, 10, 11, 13-15, 21-26, 31, 34, 35, 38-47 and 50 to 54 were pending as shown above and claims 34 and 50-54 were under active examination. Claims 34 and 52 have been amended to make explicit that the ligand binds directly to the zinc finger protein and claims 53 and 54 have been amended for proper antecedent basis. Thus, 1, 2, 4, 5, 7, 8, 10, 11, 13-15, 21-26, 31, 34, 35, 38-47 and 50 to 54 are pending as shown above and claims 34 and 50-54 are under active examination.

### Rejections Withdrawn

The previous rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph and 35 U.S.C. § 102(b) have been withdrawn. (Final Office Action, pages 2-3).

### 35 U.S.C. § 103(a)

Claims 34, 50, 52 and 53 were again rejected under 35 U.S.C. §103(a) as allegedly obvious over Christopherson et al. (1992) *Proc. Nat'l. Acad. Sci. USA* 89:6314-6318 ("Christopherson") in view of WO 98/53059 (hereinafter "Choo"). (Final Office Action, pages 3-6). Claims 52 and 54 were newly rejected under 35 U.S.C. §103(a) as allegedly obvious over U.S. Patent No. 7,189,506 ("Lim") in view of Choo. (Final Office Action, pages 6-9). Finally, claims 34 and 50-54 were newly rejected under U.S. Patent No. 6,333,318 in view of Choo. (Final Office Action, pages 9-12).

The rejections were premised on the assertion that the previous claims included zinc finger proteins "comprising" a ligand binding domain. (Final Office Action, page 13). Thus, as the foregoing amendments to the claims make clear that the ligand binds to the zinc finger protein itself, the rejections cannot be sustained. In particular, Christopherson, Lim and Evans all relate only to fusion proteins made up of separate heterologous DNA and ligand-binding domains. Accordingly, there is no combination of any of these references with Choo and teaches or suggests the claimed subject matter and withdrawal of the rejection is in order.

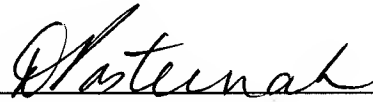
**CONCLUSION**

For the reasons stated above, Applicants respectfully submit that the pending claims are in condition for allowance.

Respectfully submitted,

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